

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN THE MATTER OF:

JEFFREY THOMAS SMITH,
SONIA OLIVIA SMITH
Debtors.

CHAPTER 13
CASE NO. 14-46405-MAR
JUDGE MARK A RANDON

TRUSTEE'S OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

NOW COMES the Chapter 13 Trustee, Krispen S. Carroll, and objects to confirmation of the Chapter 13 Plan in the above matter pursuant to E. D. Mich. LBR 3015-3(a) as follows:

1. The Trustee requests an amendment of debtors' Schedule I to reflect debtor wife's new employment pursuant to debtors' testimony at the § 341 First Meeting of Creditors.
2. Trustee requests 3 most **recent** pay stubs in order to verify both debtors' income. Trustee requires the pay stubs to be received by the Trustee immediately.
3. Trustee requests copies of the W-2/1099s that should have been attached to the 2013 tax return provided.
4. The Trustee objects to the inconsistent statements regarding amount of attorney fees in debtors' 2016(b) statement and paragraph 9 of the Statement of Financial Affairs. Without this information, your Trustee is unable to properly administer this proceeding.
5. Trustee objects to debtor counsel's failure to file an adversary complaint contemporaneously with the debtors' Chapter 13 Plan in compliance with Administrative Order 09-09.
6. Trustee objects to debtors' failure to disclose income for debtor wife and debtor husband's profit sharing in Part I of the Means Test as it affects the monthly disposable income determination.
7. The Trustee objects to the failure to provide an address for MDT/Alliance Catholic Credit Union on the Schedule and Matrix and believes that creditor(s) may not have been adequately advised of the pendency of these proceedings.
8. Trustee objects to debtors' failure to disclose payroll deductions for debtor husband on Schedule I.
9. Trustee requires verification of debtors' auto insurance expense.
10. The Trustee objects to the following expenses of the debtors (Schedule J) as excessive and unreasonable affecting the net disposable income available to fund the Plan in contravention of 11 USC 1325(a)(3) and/or 11 USC 1325(b):

a. Food and housekeeping supplies - \$1,000.00

b. Transportation - \$450.00

11. The Trustee objects to the direct payment to Nationstar, as the debt is in arrears pursuant to creditor's objection to confirmation. Therefore, direct payment to such creditor is not justified pursuant to E. D. Mich. LBR 3070-1.

12. Trustee objects to the omission of the US **Attorney** from the Matrix pursuant to E. D. Mich. LBR 1007-2 (c), and their failure to receive proper notification of these proceedings.

13. Trustee requests 100% of the profit sharing/bonus checks to which debtor becomes entitled.

WHEREFORE, the Chapter 13 Trustee prays this Honorable Court deny confirmation of the debtors' Chapter 13 Plan.

OFFICE OF THE CHAPTER 13 TRUSTEE-DETROIT
Krispen S. Carroll, Chapter 13 Trustee

June 6, 2014

/s/ Margaret Conti Schmidt
KRISPEN S. CARROLL (P49817)
MARGARET CONTI SCHMIDT (P42945)
MARIA GOTSIS (P67107)
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CERTIFICATE OF MAILING

I hereby certify that on the date indicated below, I electronically filed **TRUSTEE'S OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN** with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

GUDEMAN & ASSOCIATES
1026 W. ELEVEN MILE ROAD
ROYAL OAK, MI 48067-0000

and I hereby certify that I have mailed by United States Postal Service the above mentioned documents to the following non-ECF participants:

JEFFREY THOMAS SMITH
SONIA OLIVIA SMITH
29066 GRANDON STREET
LIVONIA, MI 48150-4080

June 13, 2014

_____/s/ Barbara A. Ecclestone
Barbara A. Ecclestone
For the Office of the Chapter 13 Trustee-Detroit
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Suite 1100
Detroit, MI 48226
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